1 Joseph C. Rosenblit (SBN 131663) Law Offices of Joseph C. Rosenblit 2 1370 N. Brea Blvd., Suite 235 Fullerton, CA 92835 3 Phone: 877-475-7065 Email: rosenblitlawyer@gmail.com 4 5 **Attorneys for Debtor** 6 UNITED STATES BANKRUPTCY COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 **SACRAMENTO DIVISION** 9 10 11 Case No.: 2021-20922 In re: 12 Chapter: 13 13 DCN. No. RDW-1 **Kyle Curtis Ash** 14 **HEARING:** 15 16 DATE: JUNE 29, 2021 TIME: 9:00 AM 17 COURTROOM: 28 Debtor JUDGE: HON. FREDRICK E. CLEMENT 18 19 DEBTORS' OPPOSITION TO ACM INVESTOR SERVICES, INC.'S MOTION 20 FOR RELIEF FROM THE AUTOMATIC STAY 21 22 23 Debtor opposes the Motion for Relief From Stay on the following grounds: 24 25 1. The value of the property is at least \$500,000.00. The current balance of ACM 26 Investor Services, Inc. proof of claim is 288,686.18. The Debtor has atleast a 27 39% equity cushion. 28

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- 2. The Debtor has a buyer ready to purchase the property for \$500,000.00.
- 3. The Debtor has proposed an amended plan that fixes the Creditors issues with confirmation and the Trustee's issues. Currently set for hearing on August 3, 2021 @ 9:00 am.
- 4. There is an Adversary proceeding filed based upon unjust enrichment, insider lending and proposed fraud having to do with this loan.
- 5. The Debtor would like to sell the property to his buyer and have the Trustee hold funds until the adversary proceeding is settled.
- 6. The Debtor would agree to monthly disbursements based upon the 1<sup>st</sup>

  Amended plan as the adversary proceeding is being argued. This would protect all parties interest from being harmed and give the Creditor even more adequate protection then the 39% they currently hold.

WHEREFORE, the Debtor requests the Court consider the matter.

Dated: June 23, 2021

/s/ Joseph C. Rosenblit Joseph C. Rosenblit Attorney for Debtor